

**U.S. DISTRICT COURT**  
**U.S. District Court, Western District of New York (Buffalo)**  
**CIVIL DOCKET FOR CASE #: 1:19-cv-00597-RJA-JJM**

Kuzma v. U. S. Department of Justice  
Assigned to: Hon. Richard J. Arcara  
Referred to: Hon. Jeremiah J. McCarthy  
Related Case: [1:16-cv-00347-RJA-JJM](#)  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/08/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Michael Kuzma**

represented by **Daire Brian Irwin**  
210 Voorhees Avenue  
Buffalo, NY 14214  
716-837-5631  
Email: [dbi59@roadrunner.com](mailto:dbi59@roadrunner.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****U. S. Department of Justice**

represented by **Michael S. Cerrone**  
U.S. Attorney's Office  
Federal Centre  
138 Delaware Avenue  
Buffalo, NY 14202  
716-843-5851  
Fax: 716-551-3196  
Email: [michael.cerrone@usdoj.gov](mailto:michael.cerrone@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
05/08/2019	<u>1</u>	COMPLAINT against U. S. Department of Justice \$ 400 receipt number 0209-3445452, filed by Michael Kuzma. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons)(Irwin, Daire) (Entered: 05/08/2019)
05/10/2019		Case assigned to Hon. Richard J. Arcara. Notification to Chambers of on-line civil case opening. (SG) (Entered: 05/10/2019)
05/10/2019		AUTOMATIC REFERRAL to Mediation The ADR Plan is available for download at <a href="http://www.nywd.uscourts.gov/alternative-dispute-resolution">http://www.nywd.uscourts.gov/alternative-dispute-resolution</a> (SG) (Entered: 05/10/2019)
05/10/2019		Notice of Availability of Magistrate Judge: A United States Magistrate of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form (AO-85) is available for download at <a href="http://www.uscourts.gov/services-forms-forms">http://www.uscourts.gov/services-forms-forms</a> . (SG) (Entered: 05/10/2019)
05/10/2019	<u>2</u>	Summons Issued as to U. S. Department of Justice.(SG) (Entered: 05/10/2019)
05/25/2019	<u>3</u>	AFFIDAVIT of Service for Summons and Complaint served on Mark Witzleben on May 16, 2019, filed by Michael Kuzma. (Irwin, Daire) (Entered: 05/25/2019)
06/19/2019	<u>4</u>	ANSWER to <u>1</u> Complaint by U. S. Department of Justice.(Cerrone, Michael) (Entered: 06/19/2019)
06/21/2019	<u>5</u>	TEXT ORDER REFERRING CASE to Magistrate Judge Hon. Jeremiah J. McCarthy. The Magistrate Judge is hereby designated to act in this case as follows: Pursuant to 28

		<p>U.S.C. Section 636(b)(1)(A) and (B), all pre-trial matters in this case are referred to the above-named United States Magistrate Judge, including but not limited to: (1) conduct of a scheduling conference and entry of a scheduling order pursuant to Fed. R. Civ. P. 16, (2) hearing and disposition of all non-dispositive motions or applications, (3) supervision of discovery, and (4) supervision of all procedural matters involving the aforementioned or involving the preparation of the case or any matter therein for consideration by the District Judge. The Magistrate Judge shall also hear and report upon dispositive motions for the consideration of the District Judge pursuant to 28 U.S.C. Section 636(b)(1)(B) and (C). All motions or applications shall be filed with the Clerk and made returnable before the Magistrate Judge. The parties are encouraged to consider the provisions of 28 U.S.C. Section 636(c) governing consent to either partial or complete disposition of the case, including trial if necessary, by the Magistrate Judge. Consent forms are available from the office of the Magistrate Judge or the office of the Clerk of Court. IT IS SO ORDERED. Issued by Hon. Richard J. Arcara on 6/21/2019. (LAS) (Entered: 06/21/2019)</p>
06/24/2019	6	TEXT ORDER: A status conference is scheduled for July 9, 2019 at 3:00 p.m. Counsel may appear in person or participate by telephone in the conference. For those electing to participate by telephone, the court has arranged a dial-in teleconference. To access the teleconference, the parties shall dial (703) 724-3100, enter access code 4100030#, and then pin 9999# sufficiently in advance of the conference. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 6/24/19. (DAZ) (Entered: 06/24/2019)
06/24/2019		CALENDAR EVENT : Status Conference set for 7/9/2019 at 03:00 PM before Hon. Jeremiah J. McCarthy. (DAZ) (Entered: 06/24/2019)
06/24/2019	7	TEXT ORDER : At defendant's request and with plaintiff's consent, the July 9, 2019 status conference is rescheduled for July 18, 2019 at 02:00 PM before Hon. Jeremiah J. McCarthy. Counsel may appear in person or participate by telephone in the conference. For those electing to participate by telephone, the court has arranged a dial-in teleconference. To access the teleconference, the parties shall dial (703) 724-3100, enter access code 4100030#, and then pin 9999# sufficiently in advance of the conference. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 6/24/19. (DAZ) (Entered: 06/24/2019)
07/18/2019	8	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Status Conference held on 7/18/2019. Discussed history of cases and pending motions. Court sets another status conference for September 18, 2019 at 2:00 PM. APPEARANCES: Daire Brian Irwin for plaintiff; Plaintiff Michael Kuzma; Michael Cerrone for defendant. (FTR GOLD) Associated Cases: 1:16-cv-00347-RJA-JJM, 1:19-cv-00597-RJA-JJM(DAZ) (Entered: 07/18/2019)